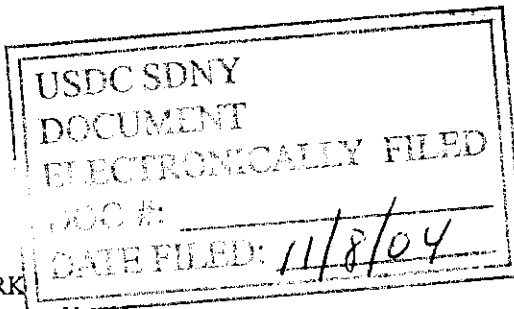


RECEIVED DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



LYN145,

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HVB ALTERNATIVE ADVISORS,  
INC. and HVB ALTERNATIVE  
INVESTMENTS, A.G.,

Plaintiffs,

-against-

JEFF C. LANDLE,

Defendant.

04 Civ. 02097 (GEL)

STIPULATION OF DISMISSAL

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto,

by and through their respective counsel as follows:

1. The above-captioned action is hereby dismissed with prejudice and without costs as to any of the parties against any other.
2. Each of the undersigned counsel hereby acknowledges that he/she is duly authorized to enter into this Stipulation on behalf of his/her respective clients.
3. This Stipulation shall be binding upon and inure to the benefit of the parties hereto and each of their respective successors and assigns.

Dated: New York, New York  
October 13, 2004

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& McPherson LLP

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**SO ORDERED.**

U.S.D.J.  
11/8/04